1 2 3 4 5 6 7 IN THE UNITED STATES DISTRICT COURT FOR THE 8 NORTHERN DISTRICT OF CALIFORNIA 9 SAN FRANCISCO DIVISION 10 UNITED STATES OF AMERICA 11 Plaintiff, 12 Civil No. 07-4762-PJH (JCS) v. **Second Declaration of Trial** 13 **Attorney Allyson B. Baker** CHARLES CATHCART et al. 14 Defendants. 15 16 1. I am over 18 years of age and am competent to testify as to facts stated below. 17 2. I am an attorney for the United States in the above-captioned action. 18 3. The United States filed the complaint in this action on September 17, 2007. 19 4. On October 10, 2007, Derivium USA was served with a summons and copy of the 20 complaint through its registered agent, Corporation Service Company. 21 5. A true and correct copy of the South Carolina Secretary of State's Registered Agent 22 Information for Derivium USA, identifying its registered agent and a true and correct copy of the 23 Return of Service and Process Server's Declaration of Service are attached as Exhibits A and B, 24 respectively, to my declaration in support of the United States's Application for Entry of Default, 25 which was previously filed with the Court. See Docket Entry No. 11. 26 27

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1	6. Derivium USA has not answered or otherwise responded to the complaint, and the time
2	to answer or respond to the complaint has expired.
3	7. The Clerk of the Court entered default against Derivium USA on December 21, 2007.
4	8. Neither Derivium USA nor any of its representatives has responded to the Clerk's Entry
5	of Default or contacted counsel for the United States about this case.
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8	I declare under penalty of perjury, that the foregoing is true and correct.
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10	Executed on the 23 rd day of January 2008.
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12	<u>/s/ Allyson B. Baker</u> Allyson B. Baker
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